

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
AMY B. CLEARY  
3 Assistant Federal Public Defender  
WENDI L. OVERMYER  
4 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
5 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
6 (702) 388-6261/Fax  
Amy\_Cleary@fd.org  
7 Wendi\_Overmyer@fd.org  
8 Attorneys for Benjamin Galecki

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 BENJAMIN GALECKI,  
15 Defendant.  
16  
17  
18

Case No. 2:15-cr-00285-APG-EJY-2

**Stipulation for Extension of Time  
to File Defendant's Response to  
the Government's Motion to  
Substitute and Forfeit Property  
(ECF No. 582)  
(Ninth Request)**

19 Defendant Benjamin Galecki, by counsel, requests the current February  
20 15, 2022 deadline for Mr. Galecki's Response to the Government's Motion to  
21 Substitute and Forfeit Property be extended by 60 days, with the deadline reset  
22 for April 18, 2022.

23 Having obtained consent to resolve this matter on terms satisfactory to  
24 both Mr. Galecki and co-defendant Burton Ritchie, counsel for Mr. Galecki and  
25 Mr. Ritchie have shared a copy of the Defendants' draft stipulation with counsel  
26 for Mr. Ritchie's wife Stephanie Ritchie and made several textual changes at her

1 counsel's request. Counsel for Mr. Galecki and Mr. Ritchie are still awaiting  
2 Mrs. Ritchie's response to final details in the draft stipulation.

3 In the interim, counsel for Mr. Galecki and Mr. Ritchie have reached a  
4 preliminary agreement on most material matters but need additional time to  
5 confer with Messrs. Galecki and Ritchie about recent language changes to the  
6 draft stipulation so that the final language may be confirmed. As Messrs.  
7 Galecki and Ritchie are presently incarcerated at FCI Talladega and in a  
8 different time zone, confidential conversations about the multi-page stipulation  
9 are necessary but can be difficult to secure for the length of time needed.

10 Given the significant progress in negotiating the final forfeiture order,  
11 potentially negating the need to file a Response, Mr. Galecki requests an  
12 extension of time to file the Response. In the event negotiations fail, Mr. Galecki  
13 will file Response to the Government's Motion to Substitute and Forfeit Property  
14 (ECF No. 582), address the Government's Proposed Final Forfeiture Order (ECF  
15 No. 628), and/or present his own proposed forfeiture order for the Court's  
16 consideration. This is the ninth request for an extension of time.

17 Mr. Galecki thus submits the approximate 60-day extension is necessary  
18 for five reasons.

19 1. The parties affected by the motion to substitute property and  
20 involved in the ongoing settlement negotiations, through their respective  
21 attorneys where applicable, include: the government; Mr. Galecki and his wife  
22 Ashley Jett Galecki; co-defendant Charles Burton Ritchie and his wife Stephanie  
23 Ritchie; and ZIW, LLC.

24 2. At the Defendants' request, the government proposed a settlement  
25 agreement on July 9, 2021. Defendants' counsel collaboratively drafted a  
26 response stipulation, which the Defendants presented to Stephanie Ritchie's

1 counsel, Attorney Nina J. Ginsberg, on October 22, 2021, and incorporated  
2 Mrs. Ritchie's requested revisions on November 8, 2021, but are still awaiting a  
3 final response from Attorney Ginsberg on several provisions.

4         3.       On November 24, 2021, Defendants' counsel sent the revised draft  
5 stipulation (with the revisions from Mrs. Ritchie) to the government for review.  
6 Government counsel and Mr. Galecki's counsel reviewed the draft but, given the  
7 number of government entities that need to review and approve the stipulation,  
8 Assistant United States Attorney (AUSA) Daniel Hollingsworth suggested more  
9 time would be necessary to complete the settlement negotiations. After obtaining  
10 a stipulation for that purpose, AUSA Hollingsworth spoke with the necessary  
11 government entities. Then, on January 20, 2022, he and undersigned counsel  
12 conferenced for three hours on the stipulation and its terms, making material but  
13 preliminary line revisions to the draft stipulation.

14         4.       On February 4, 2022, undersigned counsel sent AUSA  
15 Hollingsworth a hard copy of the revised stipulation in accordance with the  
16 discussions at the January 20, 2022 conference.

17         5.       On February 10, 2022, AUSA Hollingsworth advised he needed  
18 more time to have his supervisors and IRS review the revised language. Defense  
19 counsel also need additional time to consult with Messrs. Galecki and Ritchie  
20 regarding the preliminary, material revisions.

21         For these reasons, Mr. Galecki asks this Court to extend the deadline by  
22 60-days. Mr. Galecki asks this Court to reset the deadline from February 15,  
23 2022 to April 18, 2022, for him to either submit a signed stipulation by all  
24 relevant parties resolving the forfeiture issues in this case or file a Response to  
25 the Government's Motion to Substitute and Forfeit Property (ECF No. 582),  
26 address the Government's Proposed Final Forfeiture Order (ECF No. 628), and/or

1 present his own proposed final forfeiture order for the Court's consideration.  
2 AUSA Hollingsworth advises he does not object to this 60-day extension. A  
3 proposed order is attached to this stipulation for the Court's convenience.

4 DATED this 10<sup>h</sup> day of February 10, 2022.

5 RENE L. VALLADARES  
6 Federal Public Defender

CHRISTOPHER CHIOU  
Acting United States Attorney

7 */s/ Amy B. Cleary*  
8 By \_\_\_\_\_

*/s/ Daniel D. Hollingsworth*  
By \_\_\_\_\_

9 AMY B. CLEARY  
Assistant Federal Public Defender

DANIEL D. HOLLINGSWORTH  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 BENJAMIN GALECKI,

7 Defendant.  
8

Case No. 2:15-cr-00285-APG-EJY-2

**Order Resetting Deadline for  
Defendant's Response to the  
Government's Motion to  
Substitute and Forfeit Property  
(ECF No. 582)**

9  
10 **IT IS HEREBY ORDERED** that the current February 15, 2022 deadline  
11 for Defendant's Response to the Government's Motion to Substitute and Forfeit  
12 Property (ECF No. 582) is vacated, extended by 60 days, and reset for  
13 April 18, 2022, by which Mr. Galecki shall either submit his Response and any  
14 other filing he deems appropriate or a signed stipulation by all the relevant  
15 parties resolving the forfeiture issues.

16 **Dated** this 11th day of February, 2022.

17  
18 

19 UNITED STATES DISTRICT COURT JUDGE  
20  
21  
22  
23  
24  
25  
26